

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6022

BILL NUMBER: SB 11

NOTE PREPARED: Oct 16, 2007

BILL AMENDED:

SUBJECT: Traffic Stops.

FIRST AUTHOR: Sen. Arnold

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill eliminates the requirement that a police officer wear a uniform or operate a marked vehicle when: (1) arresting; or (2) issuing a traffic information and summons to; a person for a violation of a law regulating the use and operation of a motor vehicle.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues: Summary- The bill could lead to more traffic citations and arrests by state law enforcement officers. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. However, any additional revenue collected under the proposal would likely be small. Court fees for a felony or misdemeanor charge are \$120. Court fees for an infraction are \$70, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Background Information- The Bureau of Motor Vehicles reports the following number of traffic citations from 1997-2006.

Year	Traffic Citations Issued	Annual Percent Change of Citations Issued
2006	708,414	-10.2%
2005	789,062	-5.5%
2004	835,112	-8.0%
2003	907,723	9.8%
2002	826,381	0.4%
2001	822,724	3.4%
2000	795,687	21.2%
1999	656,469	-8.3%
1998	715,626	-2.3%
1997	732,184	

Explanation of Local Expenditures:

Explanation of Local Revenues: An increase of traffic citations and arrests made by *local* law enforcement officers could occur under the bill. If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. The county general fund would receive 27% of the \$70 court fee for infractions that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case. However, any change in revenue would likely be small.

State Agencies Affected: Indiana State Police; Department of Natural Resources (Conservation Officers); railroad police via Indiana Department of Transportation.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Bureau of Motor Vehicles.

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